IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

COCP No.1362 of 2005
Date of decision: November 16, 2006.

Hardip Singh Sandhu

...**Petitioner(s)**

v.

Sh. P.K. Verma & Anr.

...**Respondent(s)**

Present: Shri A.S. Walia, Advocate for the petitioner.

Shri G.S. Cheema, Sr. Dy. Advocate General, Punjab for the respondents.

Surya Kant, J. (Oral)

The petitioner, along with one more person, filed CWP No.307 of 1982 in which promotion to the post of Assistant Agricultural Engineer was sought. The above stated writ petition was allowed by this Court on May 28, 2004 with a direction to the respondents to consider the petitioner's claim in the light of the facts noticed in the above stated order and if found suitable, to promote him with all consequential benefits.

Alleging non-compliance of the above stated order, this contempt petition has been filed.

In response to the show cause notice, reply affidavit has been filed by B.S. Sidhu, Director, Agriculture, Punjab – respondent No.2. Along with the said affidavit, he has appended an order dated 9.3.2006 vide which the petitioner has been promoted as Assistant Agricultural Engineer

with effect from 4.1.1982 (instead of 19.2.1986).

Mr. Cheema, learned Sr. DAG, on instructions from Hatinder Kumar, Sr. Assistant, states that consequential arrears amounting to Rs.2,29,360/- have also been paid to the petitioner.

Learned Counsel for the petitioner, however, contends that entire arrears of pay have not been paid to the petitioner.

After hearing Learned Counsel for the parties and having regard to the fact that the directions issued by this Court have been substantially complied with and there is a serious dispute with regard to calculation of arrears of pay, I do not deem it appropriate to continue with these proceedings, which are, accordingly, dropped, however, with liberty to the petitioner to make representation to the competent authority along with statement of accounts, if any, within a period of one month from today and if any such representation is made by him, the same shall be considered objectively and if anything more is found due,the same shall also be paid to the petitioner within three months of the submission of the said representation.

Disposed of.

Rule discharged.

November 16, 2006. [**Surya Kant**]
kadyan **Judge**